



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

May 7, 2008

### **H.R. 5687**

#### **Federal Advisory Committee Act Amendments of 2008**

*As ordered reported by the House Committee on Oversight and Government Reform  
on April 9, 2008*

#### **SUMMARY**

H.R. 5687 would amend the Federal Advisory Committee Act (FACA). The legislation would require that all appointments to advisory committees be made without regard to political affiliation, and it would address the disclosure of conflicts of interest among committee members. In addition, H.R. 5687 would require more information about committee activities to be made available to the public, including transcripts of meetings. Finally, the legislation would require additional reports to the Congress by the Government Accountability Office concerning the appointment of advisory committee members.

CBO estimates that implementing H.R. 5687 would cost \$25 million in 2009 and \$125 million over the 2009-2013 period, assuming appropriation of the necessary amounts. H.R. 5687 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of H.R. 5687 is shown in the following table. The cost of this legislation falls primarily within budget function 800 (general government) but would affect all budget functions that contain federal advisory committees.

	By Fiscal Year, in Millions of Dollars				
	2009	2010	2011	2012	2013
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>					
Estimated Authorization Level	25	25	25	25	25
Estimated Outlays	25	25	25	25	25

## **BASIS OF ESTIMATE**

For this estimate, CBO assumes that the bill will be enacted near the start of fiscal year 2009, that the necessary funds will be provided for each year, and that spending will follow historical patterns for similar activities.

FACA governs the behavior of federal advisory committees. Those committees provide independent advice and recommendations to the federal government. According to the General Services Administration (GSA), there are almost 1,000 advisory committees, composed of about 65,000 members, which provide advice and recommendations to 52 departments and agencies. GSA estimates that the total cost to operate those advisory committees during fiscal year 2007 was about \$350 million.

As currently required by FACA, GSA maintains and administers management guidelines for committees. The Office of Government Ethics (OGE) within GSA is responsible for developing regulations and guidance for advisory committee members, who serve as special government employees and must meet certain requirements pertaining to conflicts of interest. In addition, FACA requires that the advice provided by the committees be objective and available to the public. Meetings of each advisory committee are presumptively open to the public, with certain specified exemptions. Notice of such meetings must be published in advance and all papers, records, and minutes of meetings must be made available for public inspection, subject to the Freedom of Information Act.

According to GSA, OGE, and other agencies, most of the provisions of H.R. 5687 would expand the current practices of the federal government regarding the use of advisory committees. Information from those sources indicates that implementing the bill would require agencies to increase oversight of advisory committees, issue new regulations, prepare additional reports, and make transcripts available to the public. CBO estimates that those activities would increase costs by \$25 million in 2009 and \$125 million over the 2009-2013 period.

## **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

H.R. 5687 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

### **ESTIMATE PREPARED BY:**

Federal Costs: Matthew Pickford

Impact on State, Local, and Tribal Governments: Elizabeth Cove

Impact on the Private Sector: Paige Piper/Bach

### **ESTIMATE APPROVED BY:**

Theresa Gullo

Deputy Assistant Director for Budget Analysis